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10 Attorneys for Defendant
11 WELLS FARGO AUTO FINANCE,
INC.

12
13 **UNITED STATES DISTRICT COURT**

14 **SOUTHERN DISTRICT OF CALIFORNIA**

15 DANNY ALLEN, JR., Individually and
on Behalf of All Others Similarly
16 Situated,

17 Plaintiffs,

18 vs.

19 WELLS FARGO AUTO FINANCE,
20 INC.,

21 Defendant.

Case No.: 3:10-cv-02657-W-JMA
Hon. Thomas J. Whelan
Ct. No.: 7

- **CLASS ACTION** -

**JOINT MOTION FOR DISMISSAL,
WITH PREJUDICE**

Action Filed: December 23, 2010

22
23 WHEREAS Plaintiff in this case resolved has resolved his claims with
24 Defendant on behalf of himself and all class members; and

25 WHEREAS Plaintiff and the class he seeks to represent in this case have been
26 added as a Plaintiff in the related case of *Malta v. The Federal Home Loan*
27 *Mortgage Corporation a/k/a FREDDIE MAC, and Wells Fargo Home Mortgage,*
28 *Inc.*, Case No. 3:10-CV-1290 IEG (BLM). ("*Malta*"); and

1 WHEREAS the settlement calls for the dismissal of this action, with
2 prejudice; and

3 WHEREAS a class wide settlement of the *Malta* action—including the relief
4 sought by Plaintiff on behalf of himself and class members in this case—was
5 approved on June 21, 2013 (see *Malta* Doc. No. 91); and

6 WHEREAS Defendant has now fully funded the *Malta* settlement, including
7 sums to pay the claims of class members in this case; and

8 WHEREAS a FINAL JUDGMENT AND ORDER OF DISMISSAL WITH
9 PREJUDICE was entered in the *Malta* case, which also ordered this case dismissed
10 as well (see *Malta* Doc. No. 91);

11 NOW THEREFORE the parties now jointly move for a dismissal of this
12 action, in its entirety and with prejudice.

13
14 DATED: October 29, 2013

SEVERSON & WERSON
A Professional Corporation

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16
17 By: s/ Eric J. Troutman

Eric J. Troutman

18 Attorneys for Defendant

19 WELLS FARGO AUTO FINANCE, INC.
20

21 DATED: October 29, 2013

HYDE & SWIGART

22
23
24 By: s/ Joshua Swigart

Joshua Swigart

25 Attorneys for Plaintiff

26 DANNY ALLEN, JR.
27
28

SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Joshua Swigart, counsel for Danny Allen, Jr., and that I have obtained Mr. Swigart's authorization to affix his electronic signature to this document.

DATED: October 29, 2013

SEVERSON & WERSON
A Professional Corporation

By: _____



Eric J. Troutman

Attorneys for Defendant

WELLS FARGO AUTO FINANCE, INC.